

## UNITED STATE EPARTMENT OF COMMERCE Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS

Washington, D.C. 20231

FIRST NAMED INVENTOR APPLICATION NO. FILING DATE ATTORNEY DOCKET NO. 09/458,298 12/10/99 FIKES J 18623-014600 **EXAMINER** Г HM22/0307 JEAN M LOCKYER SCHWADRON, R. TOWNSEND & TOWNSEND & CREW LLP ART UNIT PAPER NUMBER TWO EMBARCADERO CENTER 8TH FLOOR 1644 SAN FRANCISCO CA 94111-3834 DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

**Commissioner of Patents and Trademarks** 

03/07/01





SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	<u> </u>	ATTORNEY DOCKET NO.
		p		
			<u>E</u>	XAMINER
		ART	UNIT	PAPER NUMBER
		DATE MAII	ED:	

## Please find below a communication from the EXAMINER in charge of this application

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

No CRF or paper copy of the sequence listing has been filed in the instant application.

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

Any inquiry concerning this communication should be directed to Examiner Ron Schwadron, Ph.D., Art Unit 1644, whose telephone number is (703) 308-4680. Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0196.

RONALD B. SCHWADRON PRIMARY EXAMINER GROUP 1800 (650)

Ron Schwadron, Ph.D. March 7, 2001

Application No.: 09458298

## NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

X	1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
Ă	2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
Ø	3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
	4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
	5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
	6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
	7. Other:
Ap	plicant Must Provide:
Ø	An <u>initial</u> or substitute computer readable form (CRF) copy of the "Sequence Listing".
N N	An <u>initial</u> or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
X)	A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).
For	questions regarding compliance to these requirements, please contact:
	Rules Interpretation, call (703) 308-4216 CRF Submission Help, call (703) 308-4212

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE

For Patentin software help, call (703) 308-6856